

1 MICHELLE D. SPENCER, CBN 164696
Law Office of Michelle D. Spencer
2 55 River Street, Suite 100
Santa Cruz, CA 95060
3 Tel: 831.458.0502
Fax:831.426.0159
4

5 Attorney for Enrique Quintero
6

7 **IN THE UNITED STATES DISTRICT COURT**
8
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**
11

12 UNITED STATES OF AMERICA,
13 Plaintiff,

14
15 V.
16

17 ENRIQUE QUINTERO,
18

19 Defendant.
20

) Case No. CR11-00550-EJD
) Related Case No. CR 11-00711 EJD
)
)

) **STIPULATION AND**
) **~~PROPOSED~~ ORDER CONTINUING**
) **STATUS CONFERENCE AND**
) **EXCLUDING TIME FROM APRIL 16,**
) **2012 THROUGH APRIL 30, 2012**
)
)
)

21 Plaintiff United States of America, by and through their counsel Assistant United States
22 Attorney, Thomas O'Connell, and defendant Enrique Quintero, by and through his attorney Michelle
23 D. Spencer, hereby stipulate and agree that, subject to the Court's approval, that the status conference
24 currently scheduled for April 16, 2012 should be continued to April 30, 2012.

25 The parties further stipulate that time should be excluded under the Speedy Trial Act from
26 April 16, 2012 through April 30, 2012 so that defense counsel can conduct additional investigation

1 essential to the resolution of this case.

2

3 IT IS SO STIPULATED.

4

MELINDA HAAG
United States Attorney

5 Date: April 13, 2012

6

/S/

THOMAS O'CONNELL
Assistant United States Attorney

7

8

Date: April 13, 2012

9

/MDS/

MICHELLE D. SPENCER
Attorney for Enrique Quintero

10

11

12

~~PROPOSED~~ ORDER

13

14

15

16

17

18

19

Based upon the foregoing stipulation of the parties, and good cause appearing therefor, the Court finds that failing to exclude the time from April 16, 2012 through April 30, 2012 would unreasonably deny the defendant continuity of counsel and the reasonable time necessary for effective preparation, taking into account the exercise of due diligence pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from April 16, 2012 through April 30, 2012 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

20

21

Therefore, IT IS HEREBY ORDERED that the time from April 16, 2012 through and including April 30, 2012 shall be excluded from computation under the Speedy Trial Act.

22

23

Date: April 13, 2012

24

25

26



HON. EDWARD J. DAVILA
United States District Judge